

PTO/SB/28A (08-00)

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<p>Bradford J. Duft, Esq. Brobeck, Phleger & Harrison, LLP 12390 El Camino Real San Diego, CA 92130-2081</p> <p>NOTE: By this receipt, the USPTO (a) acknowledges that a request for a CPA was filed by facsimile transmission on the date stamped below by the USPTO and (b) verifies only that the application number provided by the applicant on this receipt is the same as the application number provided on the accompanying request for a CPA. This receipt CANNOT be used to acknowledge receipt of any paper(s) other than the request for a CPA.</p>		
<p>2. APPLICATION IDENTIFICATION: <small>(Provide at least enough information to identify the application)</small></p> <p>a. For prior application</p> <p>Application No.: ..09/003,869..... Filing Date:January 7, 1998..... Title:Use of Exendins and Agonists Thereof for the... Attorney Docket No.: ..030639.0043.JNL..... First Named Inventor: ..Arnold Beeley.....</p> <p>b. For instant CPA application</p> <p>New Attorney Docket No.:030639.0043.CPA1 <small>(If applicable)</small></p>		
<p>The USPTO date stamp, which appears in the box to the right, is an acknowledgement by the USPTO of receipt of a request for a CPA filed by facsimile transmission on the date indicated below.</p> <p>USPTO HANDLING INSTRUCTIONS: <small>Please stamp area to the right with the date the complete transmission of the request for a CPA was received in the USPTO and also include the USPTO organization name that provided the date stamp (stamp may include both items). Verify that the application number provided by applicant on this receipt is the same as the application number provided by applicant on the request for a CPA accompanying this receipt. If there is an inconsistency between the application number provided on this receipt and the request for a CPA, strike through the inconsistent application number provided on this receipt and insert the correct application number, if possible. Then place in a window envelope and mail.</small></p>	<small>(THIS AREA FOR PTO DATE STAMP USE)</small>	

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H/18
Patent
030639.0043.UTL
1/24/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Beeley et al.

Serial No.: 09/003,869

Filed: January 7, 1998

For: USE OF EXENDINS AND
AGONISTS THEREOF FOR THE
REDUCTION OF FOOD INTAKE

Group Art Unit: 1653

Examiner: Davenport, A.

PRELIMINARY AMENDMENT

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This communication addresses the Final Office Action mailed October 23, 2001.

AMENDMENTS

Please amend the application as follows:

In the Claims

16. (Twice Amended) The method according to any one of claims 1-15 wherein said exendin is exendin-3.

17. (Twice Amended) The method according to any one of claims 1-15 wherein said exendin is exendin-4.

CERTIFICATE OF TRANSMISSION
(37 C.F.R. §1.8)

I hereby certify that this paper (along with anything referred to as being attached or enclosed) is being transmitted, via facsimile, to the United States Patent and Trademark Office on the date indicated below.

Barbara J. Kieft
Name of Person Transmitting Paper*January 23, 2002*
Date*Barbara J. Kieft*
Signature of Person Transmitting Paper